

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

PERLA JUAREZ,

Plaintiff,

v.

**MARTIN O'MALLEY,
COMMISSIONER OF THE SOCIAL
SECURITY ADMINISTRATION,**

Defendant.

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CAUSE NO. EP-22-CV-222-KC-RFC

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE**

On this day, the Court considered United States Magistrate Judge Robert F. Castaneda's Report and Recommendations ("R&R"), ECF No. 28. Pursuant to Paragraph 2(c) of the Court's May 1, 2012, Standing Order, this case was referred to Magistrate Judge Castaneda on June 29, 2022.

Magistrate Judge Castaneda filed the R&R on August 23, 2024, recommending that the Court grant Plaintiff Perla Juarez's Motion for Authorization of Attorney Fees ("Motion"), ECF No. 26. Parties have fourteen days from a service of a Report and Recommendation of a United States Magistrate Judge to file written objections. *See* 28 U.S.C. § 636(b)(1)(C).¹ Over fourteen days have elapsed since the R&R, and no objections have been filed.

When parties do not file written objections, courts apply a "clearly erroneous, abuse of discretion and contrary to law" standard of review to a report and recommendation. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). After reviewing the R&R, the Court

¹ Federal district courts conduct de novo review of those portions of a report and recommendation to which a party has objected. *See* 28 U.S.C. § 636(b)(1)(C) ("A judge . . . shall make a de novo determination of those portions of the report . . . to which objection is made . . .").

agrees with Magistrate Judge Castaneda's proposed findings of fact and conclusions of law and finds that they are neither clearly erroneous nor contrary to law.

Accordingly, the Court **ADOPTS** the R&R, ECF No. 28, in its entirety, and **ORDERS** that Plaintiff Perla Juarez's Motion for Authorization of Attorney Fees, ECF No. 26, is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff's counsel, Kira Treyvus, is **AWARDED** \$9,758.00 in attorney's fees to be certified for payment out of Perla Juarez's past-due benefits held by the Commissioner for such purposes.

SO ORDERED.

SIGNED this 5th day of November, 2024.


KATHLEEN CARDONE
UNITED STATES DISTRICT JUDGE